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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,453	09/19/2006	Frank-Martin Wille	PNL21564	8996
77407	7590	05/26/2009	EXAMINER	
Novak Druce & Quigg LLP 1300 I Street NW Suite 1000 West Tower Washington, DC 20005			ALGAHAIM, HEZAL A	
ART UNIT	PAPER NUMBER			
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/593,453	<b>Applicant(s)</b> WILLE ET AL.
	<b>Examiner</b> HELAL A. ALGAHAIM	<b>Art Unit</b> 3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 19 September 2006.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1 is/are pending in the application.  
 4a) Of the above claim(s)       is/are withdrawn from consideration.  
 5) Claim(s)       is/are allowed.  
 6) Claim(s) 1-16 is/are rejected.  
 7) Claim(s)       is/are objected to.  
 8) Claim(s)       are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on       is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No.      .  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date      .  
 5) Notice of Informal Patent Application  
 6) Other:

## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to amendment filed on 01/29/2009. Claims 1-16 have been amended. Claim 17 is cancelled. Claims 1-16 are pending examination.
2. The amendments to the claims overcame the 112 rejections, as a result the 112 rejection is withdrawn

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **1, 2, 9 and 11** are rejected under 35 U.S.C. 102(b) as being anticipated by **Obradovich (Patent No.: 6275231)**.

OR

3. Claims **1-16** are rejected under 35 U.S.C. 102(b) as being anticipated by **Inaba et al (Pub. No.: US 2002/0015035)**.

Regarding claim 1: Obradovich discloses a control system for a motor vehicle with an output control for putting out an information item concerning the operation of the motor vehicle (display, see fig. 2 and col. 4, lines 18-50) and with a functional control (control subsystem, see at least col. 4, lines 51-56), separated the generation or supply of information concerning the operation of motor vehicle, wherein the output control comprises an information memory for the storage of information concerning the operation of the motor vehicle, whereby the information concerning the operation of motor vehicle is accessible from the information memory of the

output control (see at least col. 4, lines 1-16).

Regarding claim 1: Inaba et al discloses a control system for a motor vehicle with an output control for putting out an information item concerning the operation of the motor vehicle (display unit, see fig. 1) and with a functional control (Ref. 12, Air conditioner control unit, Engine system, etc), separated the generation or supply of information concerning the operation of motor vehicle, wherein the output control comprises an information memory for the storage of information concerning the operation of the motor vehicle, whereby the information concerning the operation of motor vehicle is accessible from the information memory of the output control (see at least fig. 1 and paragraph 0035).

Regarding claim 2: Obradovich discloses a control system according to claim 1, wherein the information concerning the operation of motor vehicle is accessible from the information memory and can be put out by the output control upon inquiry to put out the information concerning the operation of motor vehicle (see at least Obradovich col. 4, lines 17-25).

Regarding claim 3: Inaba et al discloses a control system according to claim 1, further comprising a communication link for transmitting the information concerning the operation of the motor vehicle from a functional control to the output control independent of a request to put out information concerning the operation of motor vehicle (see at least Inaba paragraph 0038).

Regarding claim 4: Inaba et al discloses a control system according to claim 3, wherein the information concerning the operation of motor vehicle is transmitted from the functional control to the output control responsive of a change concerning the operation of motor vehicle by functional control (see at least Inaba paragraph 0038).

Regarding claim 5: Inaba et al discloses a control system according to claim 3, wherein the information concerning the operation of motor vehicle is transmitted from the functional control to the output control after expiration of a selected time (**see at least paragraph 0042 and 0056**).

Regarding claim 6: Inaba et al discloses a control system according to claim 5, wherein by means of output control, one can monitor whether, within the selected time, the information concerning the operation of motor vehicle was transmitted from the functional control to output control (**see at least paragraph 0013 and 0049**).

Regarding claim 7: Inaba et al discloses a control system according to claim 5, wherein the information concerning the operation of motor vehicle out of the information memory cannot be put out by output control when the information concerning the operation of motor vehicle was not transmitted within the repeat time or a time lapse from the functional control to output control, whereby the time lapse is longer than the repeat time (**see paragraph 0049 and 0086**).

Regarding claim 8: Inaba et al discloses a control system according to claim 1, wherein the output control comprises a display for the optical illustration of the information concerning the operation of motor vehicle (**see at least fig. 1**).

Regarding claim 9: Obradovich et al discloses a control system according to claim 1, wherein the output control comprises an input device for the purpose of putting in a request for putting out and/or for optical illustration of the information concerning the operation of motor vehicle (**see at least Obradovich col. 4, lines 17-25**).

Regarding claim 1: Inaba et al discloses a Motor vehicle, comprising a control system according to claim 1 (**see at least fig. 1**).

**Claims 11-16 are rejected using the same prior art and same rationales as claims 1-10.**

*Response to Arguments*

Applicant's arguments in regards to claims above have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments in regards to claims above have been fully considered but are not persuasive. In particular the applicant argues:

A) Applicant argued that Inaba et al fails to anticipate the claimed invention in that the objective and methods of achieving such objectives are different in the cited reference and the claimed invention. In particular, applicant argues that the objective of the claimed invention is to monitor and make readily accessible vehicle condition data. Examiner suggests that applicant argue the claims limitation and not the invention objective.

*Conclusion*

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELAL A. ALGAHAIM whose telephone number is (571)270-5227. The examiner can normally be reached on Monday - Friday from 7:30 AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack W. Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. A. A./  
Examiner, Art Unit 3663

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/Mark Hellner/  
Primary Examiner, Art Unit 3663